

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

BEVERLY WILLIS, Individually and
on behalf of herself and others similarly
situated as a class,

Plaintiff,

v.

No. 1:22-cv-01166-JDB-jay

CGS STORES, LLC,

Defendant.

ORDER DENYING AS MOOT DEFENDANT'S MOTION TO DISMISS IN PART
PLAINTIFF'S INITIAL COMPLAINT AND DIRECTING CLERK TO MODIFY THE
DOCKET

Plaintiff filed her initial complaint in this case on August 4, 2022. (Docket Entry ("D.E."))

1.) On October 19, 2022, Defendant moved to dismiss the complaint in part pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure. (D.E. 21.) On November 2, 2022, Plaintiff amended her complaint (D.E. 23) and requested that the Defendant's motion therefore be denied on mootness grounds (D.E. 24). As "[a]n amended complaint supersedes an earlier complaint for all purposes," *In re Refrigerant Compressors Antitrust Litig.*, 731 F.3d 586, 589 (6th Cir. 2013), the relief sought by Plaintiff is appropriate. Accordingly, the motion to dismiss the initial complaint in part is DENIED as moot.

Furthermore, in its answer, the Defendant noted that both parties had been incorrectly identified in the Plaintiff's initial pleading and advised of the proper names for both. (*See* D.E. 22 at PageID 58 n.1-2.) In Plaintiff's amended complaint filed some two weeks later, the parties were

identified as indicated in Defendant's answer. Accordingly, the Clerk is DIRECTED to modify the docket to reflect the parties' names as set forth in the caption of the amended complaint.

IT IS SO ORDERED this 3rd day of November 2022.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE